

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of  
themselves and all others similarly situated,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF EDUCATION and  
Suzanne GOLDBERG, in her official capacity as  
Acting Assistant Secretary for Civil Rights,  
U.S. Department of Education,  
  
Defendants.

I, Mackenzie McCann, declare:

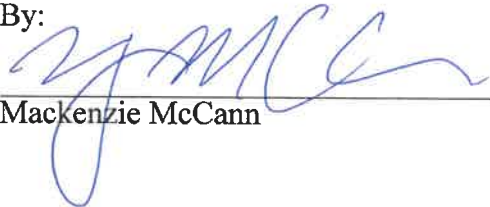
1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Bethlehem, Pennsylvania, located in Lehigh County.
3. Beginning in August 2018, I became a student at Liberty University in Lynchburg, VA. I left the school in December 2018 without graduating.
4. I am a federal income taxpayer in the United States. I will also be required to repay student loans that I took out from the U.S. Department of Education to attend Liberty University.
5. I chose Liberty University for a variety of reasons. One was that I intended to shift my focus from Psychology (my major at Pace University, my prior and now current university), to Biblical Studies. At the time I was a devout Christian, and I hoped to be around like-minded individuals.
6. I was impressed by Liberty University's credentials and academic programs and was looking forward to spiritual offerings and resources on campus.
7. Liberty University operates under a "Statement on Sexuality and Relationships," which appears in the Student Honor Code, "The Liberty Way."
8. The Student Honor Codes dictates numerous standards of behavior regulating everything from the clothes students are allowed to wear to which movies are forbidden.
9. This policy states (in its entirety) "Sexual relations outside of a biblically ordained marriage between a natural-born man and a natural-born woman are not permissible at Liberty University. In personal relationships, students are encouraged to know and abide

by common-sense guidelines to avoid the appearance of impropriety. Activities inconsistent with these standards and guidelines are violations of the Student Honor Code.”

10. I am non-binary and queer.
11. From the minute I stepped on to Liberty's campus, I knew it'd never be safe to be authentically myself (as it relates to my gender and sexuality's queerness).
12. I consistently dealt with homophobic and misogynistic comments from students and faculty at Liberty University. Included in these comments were requests to pray for someone that was a lesbian. Also, a fellow, male, student, in reference to me, “the dyke’s kinda hot.”
13. Other situations I dealt with at Liberty University included being asked to justify my lifestyle in the Bible, friends saying they were praying I would be “freed from my homosexuality,” and angry comments that there were only two genders.
14. In short, my fear of isolation transformed into a monster that became self-silencing and self-hatred. My once-spirited opinions about queer rights and visibility morphed into a desperate attempt to fit in and avoid social/emotional persecution.
15. There was no safety or support for me as a queer, non-binary person at Liberty University. I'm sure there still isn't.
16. I started dating a woman long-distance during my first year at Liberty. I couldn't tell anyone because it was prohibited by Liberty and would have ostracized me socially.
17. The secrecy and self-doubt was a huge strain and source of anxiety. I felt like I could not trust my heart because my beliefs and Liberty's policies told me that my heart desired something sinful.
18. Students at Liberty behave in homophobic and anti-queer ways because they know that they can do so with relative impunity. Liberty's culture enables such conduct and makes students feel like Liberty is backing them.
19. I was forced to leave Liberty University after one semester because of the emotional strain that I was facing. I left the school for my own emotional safety.
20. A psychologist at Liberty University diagnosed me at the time with Bipolar Disorder. After leaving, I spent months in psychotherapy related to my experience there. During that therapy I discovered that this was a misdiagnosis at best and that the issues I was having had nothing to do with bipolar disorder.
21. Rather, my mental health struggles stemmed from the repercussions of Liberty's campus climate, in which my queer identity was demonized as something evil.

22. During my time at Liberty, I was not aware of any queer support group.
23. I did not feel safe telling faculty, staff or even medical or mental health professionals at Liberty about my queer identity.
24. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 12th day of February 2021.

By:



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Mackenzie McCann